

Board of County Commissioners

Division of Planning & Development

Code Compliance Department

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CODE ENFORCEMENT BOARD

February 13, 2006

The regular meeting of the Code Enforcement Board of Sumter County, Florida was called to order on Monday, February 13, 2006, at 6:00 P.M. followed by the Pledge of Allegiance.

The following board members were present: Chairperson-Horton Barnes, Drexel Clark, Dixie Ruzzo, Tommy Messer, Charles Castle, Cheryl Barnes, and Terry Pasko.

Present from the Code Compliance staff were Paul Jochum-Code Compliance Manager, Al Folden-Code Compliance Inspector, Janice Love-Code Compliance Inspector, and Alysia Akins-Code Enforcement Board Secretary.

Meredith Kirste and Dave Davis, Attorneys for the Sumter County Code Compliance Inspectors, were present. Randall Thornton, Attorney for the Code Enforcement Board, was also present.

Attorney Thornton introduced Ms. Kirste and Mr. Davis.

Mr. Messer made a motion to approve the minutes from the January 9, 2006, meeting.
Mrs. Barnes seconded the motion and the motion carried.

Mr. Jochum, Mr. Folden, and Ms. Love were sworn in.

Old Business:

The following cases have complied:

04-0253/Davis

04-0483/Ruiz

05-0283/Aleman

05-0372/Norman

05-0539/Oliver

Attorney Thornton informed the Board \$15,000 had been collected on the sale of the Huhn property.

New Business:

File: CE2004-0494/James

911 Address: 10349 CR 229/Wildwood

Parcel: C23=035/OR – 498, PG – 544

SCCV: 6-104(2), 6-104(3), and 6-104(5)

The Respondent, Joyce James Peeples, and her husband, Brian Peeples, were present. Mr. Jochum testified the Notice for Hearing had been sent by certified mail, but was unclaimed; therefore, the property was posted on 12/28/05. Mr. Jochum testified 2/13/06 had been his last visit to the property and found the property in non-compliance. Mr. Jochum submitted photographs into the record that

had been taken on 9/22/05, 12/12/05, 12/28/05, 1/24/06, and 2/13/06 reflecting the violations. Mr. Jochum testified he had been in contact with Mr. and Mrs. Peeples. Mr. Jochum testified the grass had been mowed and the second power pole had been taken down. Mr. Jochum recommended 180 days to remove the mobile home and 15 days to remove the trash or a fine of \$10 per day be imposed. Mrs. Peeples testified the mobile home had been vandalized by the tenant and she was unable to secure it due to the damage. Mrs. Peeples testified she had originally wanted to remodel the mobile home, but had come to the conclusion the damage was too extensive and it would need to be removed. Mrs. Peeples testified the yard had been mowed and the trash had been bagged.

Mr. Messer made a motion to order the Respondent to pay all staff costs in the amount of \$414.95 within 30 days. The Respondent was also ordered to bring the property into compliance by removing the mobile home within 180 days, and if not, a fine in the amount of \$50 per day would accrue for each and every day of non-compliance. The Respondent was also ordered to remove the trash within 15 days, and if not, a fine in the amount of \$10 per day would accrue for each and every day of non-compliance. Mrs. Ruzzo seconded the motion and the motion carried.

File: CE2005-0392/Aguiar

911 Address: 4939 CR 141/Wildwood

Parcel: G24=050/OR – 862, PG – 128

SCCV: 13-51(A)(2)(A)

The Respondent, Peter Aguiar, was present and sworn in. Ms. Love testified the Notice for Hearing had been sent by certified mail and was delivered by personal service on 1/26/06. Ms. Love testified 2/13/06 had been her last visit to the property. Ms. Love submitted photographs into the record that had been taken on 8/1/05, 1/25/06, and 2/13/06 reflecting the violations. Ms. Love testified she had been in contact with Mr. Aguiar regarding the required building permits. Ms. Love testified Mr. Aguiar had applied for the required building permit on 2/6/06. Ms. Love recommended 30 days to bring the property into compliance and all staff costs be paid. Mr. Aguiar testified he had spent a large amount of time and money cleaning up his property. Mr. Aguiar testified he had ceased construction of the addition although a window AC unit had been installed. Mr. Aguiar testified the cement slab the addition was built on was existing when he purchased the property. Mr. Aguiar testified the walls and roof were constructed prior to receiving the Courtesy Notice of Violation. Mr. Aguiar testified he had been working with an engineer to have his plans designed and had some medical problems that had delayed the process.

Mrs. Barnes made a motion to consider the Respondent in compliance due to the building permit being applied for. The Respondent was ordered to pay all accrued staff costs in the amount of \$369.95, which is due and payable within 30 days. Mr. Messer seconded the motion and the motion carried.

File: CE2005-0418/Wells

911 Address: 1427 CR 753/Webster

Parcel: S02=017, OR – 774 PG - 686

SCCV: 6-104(2), 13-E-312 SHC 305.8, 13-E-305.2, and 13-E-312 SHC 305.15

The Respondent, Mildred Wells, and her husband, Eddie Wells, were present and sworn in. Ms. Love testified the Notice for Hearing had been sent by certified mail and the property had been posted on 2/1/06. Ms. Love testified 2/13/06 had been her last visit to the property and found the property in non-compliance. Ms. Love submitted photographs into the record that had been taken on 8/3/05, 10/4/05, 10/7/05, 11/28/05, and 2/13/06 reflecting the violations. Ms. Love testified the shed had been removed, although appliances and trash still remained on the property. Ms. Love testified a gas line had been run through a window and some windows were broken. Ms. Love also testified some of

the exterior walls were open, the front door was missing a window and was chained shut, and the back door had a broken window and was missing the doorknob. Ms. Love recommended all staff costs be paid and the property be brought into compliance within 30 days. Mrs. Wells testified they had hired someone, in which the broken windows have been replaced and the exterior walls have been repaired. Mrs. Wells testified her husband had been declared legally blind and had been unable to make the necessary repairs. Mrs. Wells testified the mobile home had been broken into, which caused a great deal of damage. Mr. Wells testified he would remove the bed liner and all other items in violation from the property. Mrs. Wells testified she was planning to sell the property. Mrs. Wells testified there was no electric or water connected at the property. The Board discussed the Nuisance Abatement clause in the Code, which would allow the mobile home to be secured with regular maintenance.

Mr. Castle made a motion to allow the Respondent 30 days to bring the property into compliance by removing all items in violation from the property and securing the mobile home through the Nuisance Abatement clause or a fine of \$10 per day would be assessed for each and every day of non-compliance. The Respondent was also ordered to pay all accrued staff costs in the amount of \$239.74, which is due and payable within 30 days. Mr. Pasko seconded the motion and the motion carried.

File: CE2005-0472/Gray
911 Address: 6118 SE 72nd Drive/Center Hill
Parcel: Q14=004, OR – 496, PG - 288
SCCV: 13-364(B)(2)(E)

The Respondent, Oscar Gray, was present and sworn in. Ms. Love testified the Notice for Hearing had been sent by certified mail and the property was posted on 1/26/06. Ms. Love testified 1/26/06 had been her last visit to the property and found the property in non-compliance. Ms. Love submitted photographs into the record that had been taken on 9/8/05, 11/30/05, and 1/26/06 reflecting the violations. Ms. Love recommended all staff costs be paid and the property be brought into compliance within 10 days. Mr. Gray testified he was on a limited income with Social Security benefits and had health problems. Mr. Gray testified he was residing in a horse trailer with living quarters and no utilities. Mr. Gray testified he had spoken with the Zoning Department regarding applying for a Temporary Use Permit. Attorney Thornton stated Mr. Gray's living arrangements were unsanitary, unhealthy, and unsafe due to not meeting the minimum housing standards. Mr. Gray would not agree to an inspection of the horse trailer. Mr. Gray was informed of the numerous housing assistance programs available.

Mr. Messer made a motion to allow the Respondent 30 days to bring the property into compliance by ceasing to reside in the horse trailer, or a fine of \$100 per day would be assessed for each and every day of non-compliance. The Respondent was ordered to pay all accrued staff costs in the amount of \$369.95, which is due and payable within 15 days. Mrs. Barnes seconded the motion and the motion carried.

File: CE2005-0476/Davis-Guardian
911 Address: 8993 CR 643/Bushnell
Parcel: M30B070, OR – 933, PG - 224
SCCV: 6-104(2) and 13-E-312 SHC 307.4

The Respondent was not present. Ms. Love testified the Notice for Hearing had been sent by certified mail, but was refused; therefore, the property was posted on 1/25/06. Ms. Love testified 2/13/06 had been her last visit to the property and found the property in non-compliance. Ms. Love submitted photographs into the record that had been taken on 9/21/05, 10/7/05, 10/27/05, 12/20/05, 1/24/06, and 2/13/06 reflecting the violations. Ms. Love testified a refrigerator in the yard needed to be removed, along with a truck full of trash. Ms. Love testified she had spoken with Amelia Kelly, custodian of

the guardianship. Ms. Love recommended all staff costs be paid and the property be brought into compliance within 30 days.

Mrs. Barnes made a motion to allow the Respondent 30 days to bring the property into compliance by removing all trash from the property, or a fine of \$25 per day would be assessed for each and every day of non-compliance. The Respondent was ordered to pay all accrued staff costs in the amount of \$279.95, which is due and payable within 30 days. Mrs. Ruzzo seconded the motion and the motion carried.

The Board requested staff contact the Sheriff's department in order to have the refrigerator removed immediately since it is a safety hazard.

File: CE2005-0525/Parsley

911 Address: 5320 SW 123rd Avenue/Webster

Parcel: R15A003, OR – 772, PG - 463

SCCV: 13-364(B)(2)(E), 13-41, 13-51(A)(2)(A), 13-E-312 SHC 304, and 13-E-312 SHC 302.3

The Respondent, Lewis Allen Parsley, was present and sworn in. Mr. Folden testified the Notice for Hearing had been sent by certified mail. Mr. Folden testified 2/13/06 had been his last visit to the property and found the property in non-compliance. Mr. Folden submitted photographs into the record that had been taken on 6/7/05, 9/20/05, 11/3/05, 11/13/05, and 2/13/06 reflecting the violations. Mr. Folden testified the RV was connected to sewer, but there were no electric or water connections. Mr. Folden testified the second RV on the property was vacant. Mr. Folden recommended both RV's be removed from the property and all staff costs be paid. Mr. Parsley testified he had purchased the RV when he purchased the property. Mr. Parsley testified he was currently purchasing a mobile home and had applied for a pre-inspection. Mr. Parsley testified he was currently staying with family and the RV's were being used for storage only.

Mr. Castle made a motion to allow the Respondent 60 days to bring the property into compliance by disconnecting the sewer and cease residing in the RV, or a fine of \$50 per day would be assessed for each and every day of non-compliance. The Respondent was ordered to pay all accrued staff costs in the amount of \$370.32, which is due and payable within 30 days. Mrs. Barnes seconded the motion and the motion carried.

The Board requested a report regarding the closed cases and costs/fines owed for 2005. The Board also requested an update for the Howard case that has been sent to Attorney Thornton for foreclosure, which Attorney Thornton will give an update on at the next meeting.

There being no further business, Mrs. Barnes made a motion to adjourn. Mr. Messer seconded the motion and the motion carried.

The meeting adjourned at 8:10 PM.

Chairperson

Recording Secretary